

## House Joint Resolution 10 - Introduced

HOUSE JOINT RESOLUTION 10  
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### HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution  
2 of the State of Iowa relating to the right of the people to a  
3 clean environment.  
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of  
2 the State of Iowa is proposed:

3 Article 1 of the Constitution of the State of Iowa is amended  
4 by adding the following new section:

5 Sec. 1B. **Right to clean environment.** Every person has the  
6 right to a clean and healthy environment, including pure water,  
7 clean air, a stable climate, ecologically healthy habitats,  
8 and the preservation of the natural and human health qualities  
9 of the environment. The state shall not infringe upon these  
10 rights. The state's public natural resources, including its  
11 soils, waters, air, flora, fauna, climate, and public lands,  
12 are the common property of the people, including both present  
13 and future generations. As trustee of these resources, the  
14 state shall conserve, maintain, and restore these resources for  
15 the health and benefit of all the people. This section and  
16 the rights stated herein are self-executing and shall be in  
17 addition to any rights conferred by the public trust doctrine  
18 or common law. Any and all infringements upon these rights  
19 shall be subject to strict scrutiny.

20 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
21 amendment to the Constitution of the State of Iowa is referred  
22 to the general assembly to be chosen at the next general  
23 election for members of the general assembly, and shall be  
24 published as provided by law for three months previous to the  
25 date of that election.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This joint resolution proposes an amendment to the  
30 Constitution of the State of Iowa providing that every person  
31 has a right to a clean and healthy environment, including  
32 pure water, clean air, a stable climate, ecologically healthy  
33 habitats, and the preservation of the natural and human health  
34 qualities of the environment. The state shall not infringe  
35 upon these rights. The proposed amendment declares that the

1 state's public natural resources are the common property of  
2 the people, including both present and future generations,  
3 and that the state, as trustee, shall conserve, maintain, and  
4 restore these resources for the health and benefit of all the  
5 people. The proposed amendment and the rights stated therein  
6 are self-executing and shall be in addition to any rights  
7 conferred by the public trust doctrine or common law. The  
8 proposed amendment states that any and all infringements upon  
9 these rights shall be subject to strict scrutiny.

10 The resolution, if adopted, would be published and then  
11 referred to the next general assembly (91st) for adoption a  
12 second time, before being submitted to the electorate for  
13 ratification.